

ARTICLE 5. DEVELOPMENT STANDARDS

Part A. Off-Street Parking and Loading Space.

Section 5.1. Statement of Intent.

Vehicles require adequate space in safe operating and parking conditions for all land uses, public and private. Yet Brunswick County has a unique and sensitive environment whereby space for vehicle parking and loading should have the least necessary impervious surface, should not drain directly into the waters of the county, and should be adequately designed for either on-site absorption of or disposal of such vehicular wastes such as oils.

Brunswick County is dependent upon its tourists and seasonal visitors for sustenance of the economy. In keeping with a tourist economy is the need for presentation of a harmonious image. Landscape features to buffer large areas for parking and loading are required for such economic protection of the county, and for relief from heat build-up of large surface areas.

Section 5.2. Plans Required.

No Building Permit, certificate of Zoning Compliance, or Certificate of Occupancy shall be issued for uses of land, structures, and buildings, either initially or for a change in use or expansion of an existing use, unless the off-street parking and loading requirements of this Article are satisfied.

Applications for permits and/or certificates shall include information as to location and dimension of off-street parking, and means of ingress and egress to such space, a copy of the Sedimentation and Erosion Control Plan prepared and filed under N.C. Statute for same, and a showing of shrubbery areas, trees to be saved or added, berms, proposed fences or walls, proposed surface materials, proposed lighting, and written assurance the N.C. Statute on handicapped parking will be satisfied.

Section 5.3. Off-Street Parking and Loading.

The purpose of off-street loading requirements is to assure a proper and uniform development of off-street loading areas and to relieve traffic congestion in the streets, the off-street loading requirements will apply to business and manufacturing zoning districts.

Section 5.4. Design Standards.

(A) Paving.

Paving of parking and loading spaces is not required long as soil stabilization is provided to assure ruts and pot holes will not occur, and that there will be minimal dust created by driving and maneuvering.

(B) Space Size.

Each parking space shall contain a rectangular area at least eighteen feet (18') long and nine feet (9') wide. Lines demarcating parking spaces may be drawn at various angles

in relation to curbs or aisles, so long as the parking spaces so created contain within them, the rectangular area required by this section.

(C) Lighting.

Any lighting shall be internally oriented and shall not exceed forty feet (40') in height.

(D) Driveways/Aisles.

Driveways and aisles shall be not less than eighteen (18) feet in width for one way traffic and twenty-four feet (24') in width for two way traffic. However, eighteen foot (18') wide driveways are permissible for two-way traffic when (i) the driveways is not longer than seventy-five feet (75'), (ii) it provides access to not more than six (6) spaces, and (iii) sufficient turning space is provided so that vehicles need not back into public street. Further, eighteen foot (18') wide driveways may be permitted for two-way traffic if the administrator determines that not more than ten (10) trips per day will be generated to and from the vehicular area being served by that driveway and such vehicular area is not used by the general public.

(E) General Requirements.

Parking areas shall be designed to allow unobstructed movement into and out of each parking space without interfering with fixed objects such as lighting fixtures, dumpsters, signage, or vehicles.

All parking areas shall be designed to provide for internal circulation such that each parking space is accessible to all other parking spaces without necessitating the use of a public street or alley.

(F) Parking For The Disabled.

In accordance with the N.C. Building Code the following numerical requirements shall apply for handicapped/disabled spaces:

Total Number of Spaces in Lot	Minimum Number of Accessible Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
150-200	6
201 or more	7 plus one per every 100 over 700

(G) Buffering & Green Space Requirements.

For parking lot requiring twenty (20) or more parking spaces, there is to be a shrubbery bed at least four feet in height and five feet in width provided at all exterior property lines excepting along street frontage, to filter storm waters and to be a visual buffer.

In addition to buffering standards set forth elsewhere in this section, each parking area with twenty (20) spaces or more shall provide one (1) green space island for each twenty (20) spaces or fraction thereof. Each island shall consist of not less than one hundred forty-four (144) square feet of unpaved area and be planted with a tree at least five feet (5') in height. Such islands shall be located in such a way to promote the harmonious integration of the parking area into the natural environment.

(H) Satellite And Cooperative Parking.

In instances where all required parking space cannot be provided on the same lot as the principal use, it may be provided on separate land, but at least fifty percent (50%) of such required parking must be on the site of the principal use. Such satellite parking areas must be within five hundred feet (500) of the lot containing the principal use, and such areas must be in a zoning district permitting parking as a principal use.

Cooperative provision of required parking space is encouraged, with the plans for permits clearly showing assignment of spaces to each principal use to be served. The Planning Director and/or the Zoning Administrator is hereby granted authority to approve innovative or cooperative parking arrangements when the public interest is served and protected.

Section 5.5. Minimum Off-Street Loading Space Requirements.

The following minimum loading space requirements shall apply for the appropriate use:

Type of Use	Gross Floor Area (Square Feet)	Required Number of Loading Spaces
Office	0-4,999	None
Restaurant	0-4,999 5,000-49,999	None One (1)
Hotel or Motel	0-49,999 50,000-99,999 100,000+	None Two (2) Two (2) plus one for each 100,000 square feet of gross floor area in excess of 100,000 square feet

Type of Use	Gross Floor Area (Square Feet)	Required Number of Loading Spaces
Other Commercial Establishments	0-4,999 5,000-19,999 20,000-49,999	None One (1) Two (2)
Shopping Centers or Industrial Uses	50,000-79,999 80,000-99,999 100,000-149,999 150,000+	Three (3) Four (4) Five (5) Five (5) Five (5) plus one for each 50,000 square feet of gross floor area in excess of 150,000 square feet

Each loading berth shall be a minimum of twelve feet (12') wide and fifty-five feet (55') long with a height clearance of fourteen feet (14').

Section 5.6. Parking Decks and Parking Garages.

Required parking and loading spaces need not be at ground level. Decks and garages will be treated either as part of the principal structure and subject to all requirements over such structures, or as principal uses by themselves, meeting all requirements for principal structures and uses when permitted.

Section 5.7. Number of Spaces Required.

Calculation of spaces shall be in whole units only. If calculation results with a fraction, that fraction is eliminated from the requirement.

Each use shall provide the following off-street parking:

Building Type	Number of Spaces
Single Family Dwelling	Two (2) spaces per dwelling unit
Two Family Dwelling	Two (2) spaces per dwelling unit
Multi Family Dwelling	Two (2) spaces per dwelling unit
Residential Homes	One (1) space per bedroom
Rooming Houses/Boarding Houses	One (1) space per bedroom
Bed and Breakfast, Hotels, Motels, Hunting and Fishing Lodges	One (1) space for each room to be rented

Building Type	Number of Spaces
Tourist Homes and other temporary residences renting by day or week	Two (2) spaces per bedroom
Church	One (1) space for each three (3) seats in the sanctuary
Clinics, Medical	Four (4) spaces for each doctor plus one (1) parking space for each employee
Day Care Facilities	One (1) space for each employee and four (4) beds intended for patient use, plus one (1) per employee on largest shift
Fraternity or Sorority	One (1) space for each resident
Funeral Homes	One (1) space for each three (3) seats in the chapel, plus one for each funeral vehicle
General or Professional Offices/Professional Services	One (1) space for each four hundred (400) square feet of gross floor space
Golf course, par 3	Three (3) spaces for each hole plus requirements for any other use associated with the golf course
Home Occupations-Medical Doctors, Dentist Offices and/or beauty salons in residence	Three (3) spaces in addition to the residence requirements
Home Occupations (except medical doctor, dentist offices and/or beauty salons)	Two (2) spaces in addition to the residence requirements
Miniature Golf	1.5 spaces per hole, plus requirements for any other use associated with the golf course
Nursing Homes/Hospitals	One (1) parking space for each employee and four (4) beds intended for patient use, plus one (1) per employee on largest shift
Public or Private Clubs, Community Centers, Union Halls, or other buildings without fixed seats including Retreat Centers	One (1) space for each one hundred (100) square feet of gross floor space
Restaurant	One (1) space for each 3 seats plus one (1) space for each two (2) employees
Restaurant, drive in – Take out	Five (5) spaces plus one (1) space for each two (2) employees or one (1) space for each serving station or whichever is larger
Stadiums	One (1) space for each 3 spectator seats
Banks and other Financial Institutions	One (1) space for each two hundred (200) square feet of gross floor space plus one (1) space for each two (2) employees

Building Type	Number of Spaces
Libraries and Museums	One (1) space for each four hundred (400) square feet of gross floor space
Government Offices	One (1) space for each three hundred (300) square feet of gross floor space
Convenience Stores	One (1) space for each one hundred and fifty (150) square feet of gross floor space
Wholesale Sales	One (1) space for each four hundred (400) square feet of gross floor space
Shopping Center	One (1) space for each two hundred (200) square feet of gross floor space for 80% of the building
Elementary Schools	Two (2) spaces for each classroom plus one (1) space for each administrative offices
Junior High Schools	Two (2) spaces for each classroom plus one (1) space for each administrative offices
High Schools	One (1) space for each ten (10) students plus one (1) space for each classroom and administrative offices
Colleges	One (1) space for every four hundred (400) square feet of classroom and administrative gross floor space plus one (1) space for every dormitory room
Bowling Alleys	Four (4) spaces per bowling lane
Movie Theaters, Auditoriums	One (1) space for each 3 seats
Industrial or Manufacturing Establishment or Warehouse including wholesale services	One (1) space for each two (2) employees during the shift of greatest employment, plus one (1) space for each managerial personnel, plus one (1) visitor's space for each five (5) managerial spaces
Neighborhood or Community Building	One (1) space for every four (4) seats within the building
Retail Business, Service operations including garages	One (1) space for each four hundred (400) square feet of gross floor space if not mentioned above
Commercial Recreation	One (1) space for every two hundred (200) square feet of gross floor space if not mentioned above

Section 5.8. Unlisted Uses.

In the event a proposed use is not specifically listed in Section 5.6, the Zoning Administrator may establish the parking requirements for such proposed use based on such things as

documentation provided by the applicant, requirements for similar uses and requirements in other comparable jurisdictions.

Part B. Signs.

Section 5.9. Statement of Intent.

It is the intent of this section to permit signs of a commercial, industrial, and residential nature in districts which have uses with appropriate need for signs and to regulate the size and placement of signs intended to be seen from a public right-of-way or public waters.

Signs including outdoor advertising structures are herein regulated for the intent of regulating excess signage, encouraging the positive economic development of the County, preserving and improving tourism views, promoting the safety of the traveling public, protecting existing property values in both residential and non-residential areas, preventing the overcrowding of land and protecting the aesthetics of the County.

The regulations are designed to prevent overconcentration, improper placement, and excessive height, bulk number and area of signs. It is recognized that, unlike on-premise identification signs which are (in actuality) a part of a business, off-premise outdoor advertising is a separate and distinct use of the public thoroughfare. Because of these fundamental differences, off-premises outdoor advertising signs are regulated differently from on-premise signs.

Section 5.10. Definitions.

For the purpose of these regulations, the following words and phrases shall be defined as specified below.

(1) **Awning.**

A structure made of cloth, metal, or other material affixed to a building in such a manner that the structure may be raised or retracted from a building to a flat position against the building. An awning is not a canopy.

(2) **Building Wall.**

The entire surface area, including windows and doors, of an exterior wall of a building. For the purposes of these regulations, the area of a wall will be calculated for only the first three stories, or 40 feet maximum height of a building, whichever is less.

(3) **Canopy.**

A permanent structure other than an awning made of cloth, metal or other material attached or unattached to a building for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall. A canopy is not a completely enclosed structure.

- (4) Changeable Copy.
Copy that is or can be changed manually in the field or through mechanical means. [e.g., readerboards with changeable letters.]
- (5) Copy.
Any words, letters, numbers, figures, characters, symbols, logos, or insignia that are used on a sign display surface area.
- (6) Farm Product Sign.
Seasonal sale of farm products raised on the premises where products are raised as an accessory to an agricultural use.
- (7) Grade.
The height of the top of the curb, or if no curb exists, the height of the edge of the roadway surface.
- (8) Intersection.
A place or area where two or more roads meet or cross.
- (9) Linear Frontage.
The length of a property abutting a public right-of-way from one side lot line to another.
- (10) Logo.
A business trademark or symbol.
- (11) Parapet.
That portion of a building wall or false front that extends above the roof line.
- (12) Premises.
A parcel or lot of real property with a separate and distinct number or designation shown on a recorded plat, record of survey, parcel map, subdivision map, or a parcel legally created or established pursuant to applicable land use regulations. (Outparcels of shopping centers shall be considered on the premises of the shopping center for the purpose of these regulations.)

(13) Roof Line.

The highest point of a flat roof and mansard roof and the lowest point of a pitched roof, excluding any cupolas, chimneys or other minor projections.

(14) Sign.

Any object, device, or structure, or part thereof, situated outdoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Signs do not include the flag or emblem of any nation, organization of nations, state, city, or any fraternal, religious or civic organizations; works of art which in no way identify a product; or a scoreboard located on athletic fields.

(15) Sign Face Area.

The area within a single, continuous perimeter enclosing the extreme limits of characters, lettering, logos, illustrations, or ornamentations, together with any material or color forming an integral part of the display or to differentiate the sign from the background to which it is placed. Structural supports bearing no sign copy shall not be included in the sign area. If a sign is attached to an entrance wall or fence, only that portion of that wall or fence onto which the sign face or letters are placed shall be calculated in the sign area.

(16) Sign Height.

The distance measured from the highest point of a sign, including any molding, trim, border, or frame above the roadway surface from which the sign is to be viewed.

(17) Sign Structure Or Support.

Any structure that supports or is capable of supporting a sign, including decorative cover.

(18) Sign Types.

Types of signs regulated by this ordinance shall include, but are not limited to the following:

(a) Banner.

A sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentations applied to plastic or fabric of any kind, excluding flags and emblems of political, professional, religious, education, or corporate organizations.

(b) Bulletin Board.

A sign used to announce meetings or programs to be held on the premises of a church, school, auditorium, library, museum, community recreation center, or similar noncommercial places of public assembly.

(c) Business Sign.

A sign that directs attention to a business, profession, or industry located upon the premises where the sign is displayed; to type of products sold, manufactured or assembled; and/or to services or entertainment offered on said premises.

(d) Campaign or Election Sign.

A sign that advertises a candidate or issue to be voted upon on a definite election day.

(e) Construction Sign.

A sign placed at a construction site identifying or announcing the project or the name of the architect, engineer, contractor, financier, or others involved in the development of the project.

(f) Directional or Instructional Sign: On-Premises.

A sign designed to guide vehicular and/or pedestrian traffic by using such words as "Entrance", "Exit", "One-Way", or similar directional instruction, but not including any advertising message. The name or logo of the business or use to which the sign is giving direction may not be included on the sign.

(g) Free-Standing Sign.

The general term for any sign which is supported from the ground and not attached to a building.

(h) Ground Mounted Sign.

A free-standing sign which extends from the ground or which has a support which places the bottom thereof less than 2 feet from the ground.

- (i) Government Sign.
Any temporary or permanent sign erected and maintained for any governmental purposes.
- (j) Flag.
A piece of durable fabric of distinctive design attached to a permanent pole, that is used as a symbol or decorative feature.
- (k) Flashing Sign.
A sign that uses an intermittent or flashing light source to attract attention.
- (l) Identification Sign.
A sign which displays only the name, address, and/or crest, or insignia, trademark, occupation or profession of an occupant or the name of any building on the premises.
- (m) Illuminated Sign.
A sign either internally or externally lighted.
- (n) Nonconforming Sign.
Any sign which was lawfully erected in compliance with applicable code provisions and maintained prior to the effective date of these regulations, and which fails to conform to all applicable standards and restrictions of these regulations.
- (o) Off-Premises Sign.
A sign that directs attention to a business commodity, service, or establishment conducted, sold, or offered at a location other than the premises on which the sign is erected.
- (p) On-Premises Sign.
A sign that directs attention to a business commodity, service, or establishment conducted, sold, or offered on the premises on which the sign is erected.
- (q) Outdoor Advertising Structure.
A sign or billboard designed to carry outdoor advertising including all free standing, off-premise signs. On-premise signs exceeding maximum

requirements allowed shall be considered as an Outdoor Advertising Structure.

(r) Portable Or Movable Sign.

A sign that is not permanently attached to the ground, a structure, or a building that can easily be moved from one location or another. [For example, a sign on wheels.]

(s) Real Estate Sign.

A sign that is used to offer for sale, lease, or rent the premises upon which such sign is placed.

(t) Roof Sign.

A sign erected or maintained in whole or in part upon or over the roof or parapet of a building.

(u) Temporary Sign.

A sign which is not permanently installed in the ground or affixed to any structure or building, and which is erected for a period of time as permitted in this ordinance.

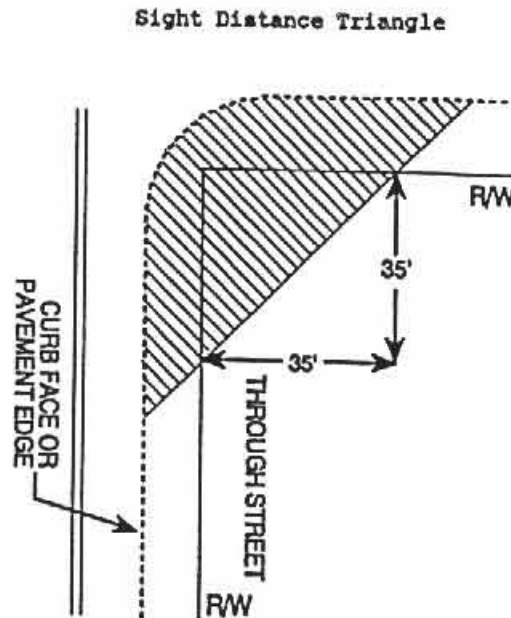
(v) Wall Sign.

Any sign directly attached to an exterior wall of a building or dependent upon a building for its support with its exposed face parallel or approximately parallel to the plane of the building or structure on which the sign is affixed. Signs directly painted on walls shall be considered wall signs.

(19) Site Distance Triangle.

The triangular area formed by a diagonal line connecting two points located on intersecting right-of-way lines (or a right-of-way line and the curb or a driveway), each point being thirty-five feet (35') from the intersection, and the two intersecting right-of-way lines (or a right-of-way line and a driveway) or fifty feet (50') back from the curb line, whichever is greater.

The following diagram illustrates how to compute a site distance triangle:



Section 5.11. Procedures.

(A) Permit Required.

Except as otherwise provided in this ordinance, it shall be unlawful for any person to erect, construct, enlarge, move or replace any sign or cause the same to be done, without first obtaining a sign permit for such sign from the Zoning Administrator as required by these regulations.

Notwithstanding the above, changing or replacing the permanent copy on an existing lawful sign shall not require a permit, provided the copy change does not change the nature of the sign such as to render the sign in violation of these regulations.

Any sign(s) determined to be erected or posted not in accordance with provisions contained in Article 5 may be subject to immediate removal and enforced pursuant to Article 7.

On determining that a violation exists, the owner, applicant or business shall be given written notice of the initial violation and notification that the sign(s) may be held at a designated location for collection by the owner, applicant or business for a period of no more than ten (10) days.

Any sign(s) determined to be in violation of Article 5 and not collected by the owner, applicant or business within the ten (10) day period of initial notice of violation, or where it is determined that there are subsequent violations by same owner, applicant or business beyond the initial notification, may be subject to immediate removal and destroyed.

(B) Application And Issuance Of Permit.

Applications for permits shall contain or have attached to it the following information:

- (1) The street number of the structure to which the sign is to be erected, and the tax parcel number for the zoning lot onto which the sign is to be located;
- (2) Names, addresses, and telephone numbers of the applicant, owner of the property on which the sign is to be erected or affixed, the owner of the sign, and the licensed contractor erecting or affixing the sign;
- (3) If the applicant is not the owner of the property on which the sign will be located, a copy of the lease agreement between the property owner and the applicant shall be required.
- (4) A site or plat plan of the property involved, showing accurate placement of the proposed sign including setbacks, all structures, etc. (see permit application);
- (5) Two (2) blueprints (one original and one copy) or scaled drawings of the plans and specifications of the sign to be erected or affixed as deemed necessary by the Zoning Administrator. All plans and specifications must meet the N.C. Building Code. Such plans may include but shall not be limited to details of dimensions, materials, copy, and size of the proposed sign. For wall signs, dimensions of the building wall on which the sign is to be affixed and the location and the size of existing wall signs shall also be included;
- (6) Applications for permits for outdoor advertising structures, in addition to the above information shall contain a detailed site plan with setbacks and dimensions showing at least the following: the location of all outdoor advertising structures on the same side of the street, existing structures, driveways, etc.
- (7) Other information as the Zoning Administrator may require to determine full compliance with this and other applicable codes.

(C) Issuance Of Permits.

Upon the filing of an application for a sign permit, the Zoning Administrator shall examine the plans and specifications, and as deemed necessary, may inspect the premises upon which the sign is proposed to be erected or affixed. If the proposed sign is in compliance

with all the requirements of these regulations and other applicable codes, a permit may be issued. Any permit issued in accordance with this Section shall automatically become null and void unless the work for which it was issued has visibly been started within six (6) months of the date of issue or if the work authorized by it is suspended or abandoned for one year.

(D) Fees.

To obtain a sign permit, all fees, in accordance with the approved fee schedule shall be paid.

Section 5.12. Construction and Maintenance Provisions.

- (A) Every sign and its supports, braces, guys, anchors, and electrical equipment shall be maintained in safe condition at all times. All signs shall be kept free from defective or missing parts or peeling paint and shall be able to withstand wind.
- (B) The Brunswick County Zoning Administrator shall possess the authority to order the painting, repair, alteration or removal of a sign which constitutes a hazard to the health, safety or public welfare by reason of inadequate maintenance, dilapidation, or obsolescence. Notice to the owner shall be by personal service or registered mail, return receipt requested. Upon notification owner shall have 60 days to complete repairs. Failure to complete repairs with appropriate time frame may result in the County proceeding with legal actions.
- (C) The immediate premises around a sign shall be kept free from debris. However, no person may damage, destroy, or remove any trees, shrubs or other vegetation located within the right-of-way of any public street or road for the purpose of increasing or enhancing the visibility of any sign.
- (D) Any sign permitted under this ordinance must comply with any applicable requirements of the building code, electric safety code, and other applicable federal, state or county codes.

Section 5.13. Reconstruction of Damaged Signs or Sign Structures.

- (A) Any conforming or permitted nonconforming sign or sign structure which has been damaged may be repaired and used as before, provided all repairs are initiated within 90 days and completed within 120 days of such damage. However, if the sign should be declared unsafe by the County Building Inspector, the owner of the sign or the owner of the property whereon the sign is located, shall immediately correct all unsafe conditions in a manner satisfactory to the County Zoning Administrator.

- (B) For purposes of this section a nonconforming sign (or its structure) shall be considered destroyed, and therefore shall not be repaired or replaced , if it receives damage to the extent of more than fifty percent of its value as listed for tax purposes by the County Tax Administrator. Signs destroyed by proven vandalism may be replaced, but may not be changed, altered, enlarged, from their original state.

Section 5.14. Nonconforming Signs.

All legal, non-conforming signs are permitted to exist, provided that the signs shall not be:

- (A) Changed, altered, or replaced by another nonconforming sign, except that copy may be changed on an existing sign.
- (B) Expanded or modified in any way.
- (C) Relocated, except in conformance with the requirements of this ordinance.

Section 5.15. Prohibited Signs.

The following signs shall be prohibited in all Zoning Districts:

- (A) Signs Obstructing View.

Any sign which obstructs the view of pedestrians, bicyclists and or motorists using any street, approach to any street intersection, or which interferes with the effectiveness of or obscures any traffic sign, device, or signal shall be prohibited. Any sign located in such a way as to deny a visual access to an existing sign.

- (B) Moving Signs.

Signs, other than government signs, which contain oscillating, fluctuating, flashing or blinking lights, rotating disks, words and other devices not erected by a public authority which may be erroneously construed as government signs or emergency warning signs. An example of this is a sign which contains a picture of a traffic sign plus the word "Stop, "Yield", etc.

- (C) Signs Obstructing Pedestrian Traffic.

Any sign located outdoors which interferes with free passage from or obstructs any fire escape, downspout, window, door, stairway, ladder, or opening intended as a means of ingress or egress or providing light or air.

- (D) Signs Located On A Street Or Right-Of-Way.

Any sign (other than a government sign) placed on any curb, sidewalk, post, pole, hydrant, bridge, tree, or other surface and located in, over, or across any public street or right-of-way.

(E) Flashing Signs.

Flashing signs, signs with flashing or reflective disks, flashing lights or lights of changing degree of intensity or color or signs with electrically scrolled messages (except government signs and signs which give time and temperature information). This exemption applies only to the portion of the sign that displays time and temperature.

(F) Temporary, Nonpermanent Signs.

Temporary, nonpermanent signs, including over-head streamers, are not permitted in any zoning district, unless otherwise specified in these regulations.

(G) Scenic Corridor Off-Premise Signs.

Off-premise signs designed to be visible from a road designated as a Scenic Byway by the North Carolina Department of Transportation.

(H) Roof Signs.

A sign erected or maintained in whole or in part upon or over the roof or parapet of a building.

(I) Illegal Activity.

Signs that display or advertise an illegal activity in North Carolina.

Section 5.16. Signs Permitted in All Districts.

The following signs may be allowed in all Zoning Districts and shall be exempt from other requirements of this ordinance:

(A) Government Signs.

Government signs including graphics usually of a commemorative nature such as obelisks and triumphal arches.

(B) Grave Markers.

Grave markers which are noncommercial in nature.

(C) Flags Or Pennants.

Flags, pennants, insignia, and symbols of any public or semi-public use.

(D) Architectural Features Of Buildings.

Integral decorative or architectural features of buildings and works of art, so long as such features or works do not contain letters, trademarks, or moving parts.

(E) On-Premises Instructional Signs.

On-premises instructional signs not exceeding six square feet in area.

(F) Identification Signs For Residential Uses.

Identification signs not to exceed four square feet on any lot.

(G) Campaign/Political Signs.

Campaign, election, and political signs of a non-permanent nature may be erected no sooner than sixty (60) days prior to the primary, run-off or general election. Within seventy-two (72) hours of the election (closing of polls), all signs must be removed.

(H) On Premise Price Signs.

Price signs at automobile service stations or other establishments engaged in the retail sales of gasoline. One (1) such sign is permitted for each side of a lot fronting on a public street, provided it does not exceed fifteen (15) square feet in area. Any such sign shall be affixed to a permitted freestanding identification sign, to a canopy support in the vicinity of the gasoline pumps, or flat-mounted against the wall of a building.

(I) Gasoline Service Pump Signs.

Signs announcing the location of gasoline pumps at any establishment engaged in the retail sale of gasoline. Such signs shall be located in the vicinity of the pumps and shall not exceed four (4) square feet in area.

(J) Personal Property And Real Estate Signs.

Temporary personal property signs and real estate signs advertising specific property for sale, lease, rent or development shall be located as follows:

- (1) One sign for each side of a lot fronting on a public street, advertising real estate or personal property "For Sale", "For Rent", "For Lease" or "For Development" not greater than six (6) square feet in area in a Residential District and thirty-two (32) square feet in area in nonresidential districts may be located on the property being advertised so long as said sign is located behind the street right-of-way line. If the property so advertised lies on a corner lot or double frontage lot, then a second sign may be permitted along the second street.
- (2) In addition to the on-site real estate sign(s), a maximum of three (3) directional signs, each not exceeding four (4) square feet in area, shall be permitted in other locations. The message of said signs shall be limited to the name of the property, and the terms "Lot/Home For Sale", "For Rent", "For Lease", "For Development", etc. All of these signs shall be located off the street right-of-way.
- (3) All such temporary signs shall be removed within seven (7) days after the property has been sold, rented, leased, etc.
- (4) No sign allowed under this subsection shall be lighted.

(K) Subdivision, Manufactured Home Park And Campground Identifications Signs.

Permanent subdivision, manufactured home park and campground identification signs not exceeding sixty-four (64) square feet total per entrance road. Identification signs may not exceed two (2) signs per main entrance and total square footage is not to exceed sixty-four (64) square feet.

(L) Temporary Construction Signs.

Temporary construction signs provided that such signs:

- (1) Shall not exceed ten (10) square feet each, which are in conjunction with any residential use. Signs in conjunction with all other uses shall have a maximum area of fifty (50) square feet each.
- (2) Shall not be illuminated.
- (3) Shall only appear at the construction site.
- (4) Shall be removed within seven (7) days after final approval or a certificate of occupancy has been issued.

(M) Temporary Farm Product Signs.

- (1) One on-premises sign may be used. Said sign shall be located off the street right-of-way and at least nine (9) feet away from any side lot line. Such sign shall have a maximum area of thirty-two (32) square feet and may not be illuminated.
- (2) A maximum of two off-premises signs shall be permitted. Said off-premises signs may be no greater than thirty-two (32) square feet a piece and shall not be illuminated. No such sign shall be allowed in the street right-of-way.

(N) Holiday/Special Events Signs.

Temporary special event signs, holiday decorations or banners for religious, charitable, civic, fraternal or similar nonprofit or not for profit organizations provided that no sign shall:

- (1) Be erected no sooner than thirty (30) days and removed no later than seven (7) days after the event.
- (2) Exceed thirty-two (32) square feet.
- (3) Be illuminated.
- (4) Be located in street right-of-way.

(O) Other Temporary Banners.

Other temporary banners for a nonresidential use located in a nonresidential district, provided that:

- (1) For a continuous period not to exceed fourteen (14) days, on-premises banners; balloons and other inflatable objects, pennants; and flags for special events and grand openings are permitted so long as said sign objects are not located in a street right-of-way. Within any calendar year, any use may be permitted temporary signs of this nature for no greater than three (3) fourteen (14) day periods.

(P) Yard Sale Signs.

One (1) on-premise and three (3) off-premises yard sale signs per yard sale. All such signs shall be removed within twenty-four hours after the yard sale has been terminated. No such sign shall be greater than four (4) square feet in area. All such signs shall be located off the street right-of-way.

(Q) Bulletin Boards.

Bulletin boards, with a maximum area of fifty (50) square feet.

(R) Directional Signs.

Directional Signs (for commercial and public and semi/public uses) provided that:

- (1) All such signs shall be located off the road right-of-way.
- (2) All such signs greater than three feet (3') in height as measured from the grade of the road upon which it fronts shall be located outside the required sight triangle as established by N.C. Department of Transportation standards.
- (3) There shall be no greater than four (4) signs on separate supports at any means of ingress and egress.
- (4) More than one sign may be placed on the same supports.
- (5) No two (2) signs hung from separate supports shall be located within five (5) feet of each other.
- (6) The maximum area shall be six (6) square feet.

Section 5.17. Types of Signs.

(A) Wall Signs.

- (1) No wall sign shall project more than six (6) inches from the building wall, canopy on supporting structure.

- (2) No wall sign or its supporting structure shall cover any window or part of a window.
- (3) Canopy and awning signs are considered wall signs; in no instances shall such a sign extend over a right-of-way or public easement.
- (4) A movie theater (i.e., readerboard) changeable copy wall sign shall be permitted with a one hundred percent (100%) increase in the maximum size permitted for wall signs in the district in which the theater is located.
- (5) No portion of any wall sign shall be located more than thirty-five (35) feet above grade.

(B) Free-Standing Signs.

All free-standing signs shall be at least five feet (5') behind the right-of-way. No sign shall be permitted in any sight distance triangle as defined in this ordinance.

(C) On-Premises Signs.

On-premises signs are signs which are located on the property of the principle use which is being advertised. On-premises signs can be either wall or free-standing signs.

(D) Off-Premises Signs.

Off-premises signs are signs which are located off the property of the principle use.

Section 5.18. Regulations for Outdoor Advertising Structures.

(A) Outdoor Advertising Structures.

A sign or billboard designed to carry outdoor advertising including all free standing off-premise signs. On premise signs existing as of the effective date of this ordinance that exceeds the maximum requirements allowed shall be considered as Outdoor Advertising Structures.

(B) New Outdoor Advertising Structures.

Permits may be issued only in the following locations and in accordance with the following standards:

- (1) Permitted Location: Property zoned C-LD, C-M, H-M.
- (2) Maximum Sign Face Area: 378 square feet on major thoroughfares, 300 square feet on minor thoroughfares and 100 square feet on all other public roads.
- (3) Maximum Height: 35 feet.
- (4) Maximum Number of Sign Faces: 1 per side of sign not to exceed two sign faces.
- (5) Setbacks: A minimum of fifteen feet from each property line.

(C) Existing Outdoor Advertising Structures.

Existing outdoor advertising structures shall be considered a legal nonconforming use and shall be allowed to remain, but shall not be altered in any way.

(D) Distance From Centerline.

Free standing signs shall be located within six hundred and sixty (660) feet of the centerline of the roadway to which they are oriented.

(1) Spacing:

- (a) On major thoroughfares, the minimum spacing requirements between off-premise signs shall be three thousand (3,000) linear feet from any other off-premise sign. Major thoroughfares are consistent with and the same as those listed in the most recently-adopted Brunswick County Thoroughfare Plan.
- (b) On minor thoroughfares, the minimum spacing requirements between off-premise signs shall be two thousand (2,000) linear feet from any other off-premise sign. Minor thoroughfares are consistent with and the same as those listed in the most recently-adopted Brunswick County Thoroughfare Plan.
- (c) On all other public roads in Brunswick County, the minimum spacing requirements between off-premises signs shall be one thousand (1,000) linear feet from any other off-premise sign.

(E) Distance From Residential Zones.

Free-standing signs shall be spaced the following minimum distances from residentially zoned property:

- (1) Fifty feet (50') from any structure;
- (2) Fifty feet (50') from any residential zone adjacent to a permitted zone away from the roadway.

(F) Additional Spacing Is Required As Follows.

- (1) Five hundred feet (500') from the centerline of an intersection;
- (2) Five hundred feet (500') from any bridge over a public waterway;
- (3) One hundred fifty feet (150') from any existing on premise sign on the same side of the road.
- (4) Two hundred fifty feet (250') from cemeteries, churches and public parks.

(G) Maximum Sign Area.

The maximum sign area of an off premises ground sign shall be limited, depending on location, as follows:

- (1) On major thoroughfares, the maximum sign size shall be three hundred seventy-eight (378) square feet.
- (2) On minor thoroughfares, the maximum sign size shall be three hundred (300) square feet.
- (3) On all other public roads in the County, the maximum sign size shall be one hundred (100) square feet.

(H) Wall Attachment.

An off-premises sign attached to the wall of a structure may not exceed thirty (30) percent of the total surface area of the wall on which the sign is located. No off-premises sign may be located on the same wall as any other off-premises sign.

(I) Height.

Off-premises ground signs shall not exceed thirty-five (35) feet above the roadway surface from which the sign is to be viewed.

Part B: On Premises Signs

Section 5.19. Signs Permitted in Residential Low Density (R-7500), Residential Medium Density (R-6000), Neighborhood Commercial (NC), and Site Built R-6000 (SBR) Districts.

For any permitted non residential use:

(A) Types Of Signs Permitted.

- (1) Wall.
- (2) Free-standing.

(B) Permitted Number Of Signs.

- (1) Unlimited wall signs and one (1) free-standing per lot per public street front.
- (2) No two signs identifying or advertising the same use shall be located closer than one hundred (100) feet from each other measured by using the shortest straight line distance.

(C) Maximum Area Of Sign.

Sixty-four (64) square feet.

- (D) Maximum Height.
Ten (10) feet.

Section 5.20. Signs Permitted in Rural (RU) Zoning District.

For any permitted or principal use:

- (A) Types Of Signs Permitted.
 - (1) Wall.
 - (2) Free-standing on premise.
- (B) Permitted Number Of Signs.
 - (1) Wall.
Unlimited.
 - (2) Free-standing.
One (1) free-standing on premise per lot per public street front.

No two signs identifying or advertising the same use shall be located closer than one hundred feet (100') from each other measured by using the shortest straight line distance.

- (C) Maximum Area Of Sign.
Ninety six (96) square feet.
- (D) Maximum Height.
 - (1) Wall.
Signs shall not be allowed to extend above the parapet of the building.
 - (2) Free-standing.
Thirty-five feet (35').

Section 5.21. Signs Permitted in C-LD, Commercial Low Density, MI, Military Installation, C-M, Commercial Manufacturing, H-M, Heavy Manufacturing, and RU-I, Rural Industrial Zoning Districts.

For permitted and permissible principal uses when allowed:

- (A) Types Of Signs Permitted
 - (1) Wall.
 - (2) Free-standing.

(B) Permitted Number Of Signs

- (1) Wall.
No limit.
- (2) Free-standing.
One (1) per premises per public street front. No two signs identifying or advertising the same use shall be located closer than one hundred (100) feet from each other measured by using the shortest straight line distance.

(C) Maximum Area Of Sign.

- (1) Wall.
A maximum of thirty (30) percent of the wall area of any wall on the building. Except in no instance shall any principal use be allowed to have an aggregate wall sign area in excess of one hundred (100) square feet.
- (2) Free-standing.
A maximum of ninety-six (96) square feet per sign.

(D) Maximum Height.

- (1) Wall.
Wall signs shall not be allowed to extend above the parapet of the building.
- (2) Free-standing.
Thirty-five (35) feet.

Section 5.22. Non Conforming Uses.

Any non-conforming use must comply with the zoning regulations, pertaining to signs, within the zoning district in which they are located.

Section 5.23. Computation of Sign Area.

The area within a single, continuous perimeter enclosing the extreme limits of characters, lettering, logos, illustrations, or ornamentations, together with any material or color forming an integral part of the display or to differentiate the sign from the background to which it is placed. Structural supports bearing no sign copy shall not be included in the sign area. If a sign is attached to an entrance wall or fence, only that portion of that wall or fence onto which the sign face or letters are placed shall be calculated in the sign area.

(A) Prohibited Use Of Signs.

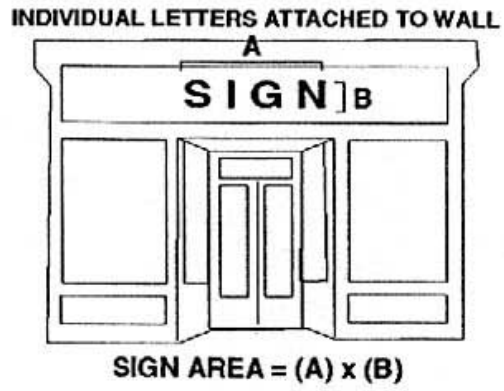
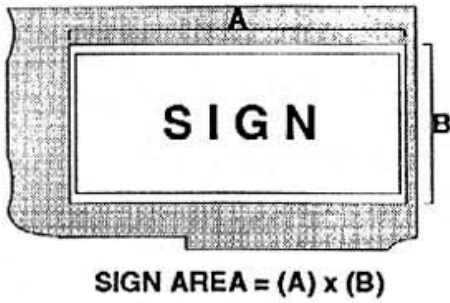
Placing sign facings on top of one another (double-decking) is prohibited.

(B) Ways Signs Can Be Displayed.

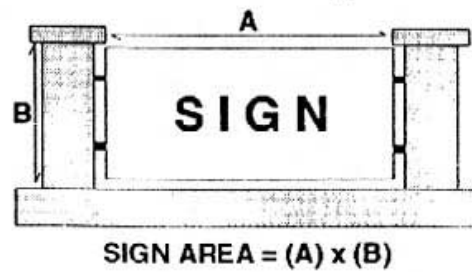
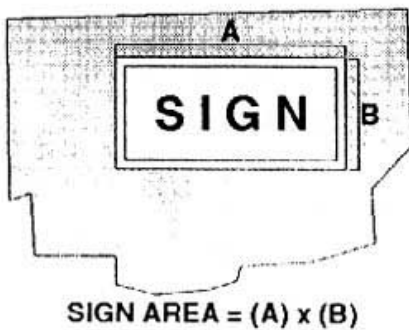
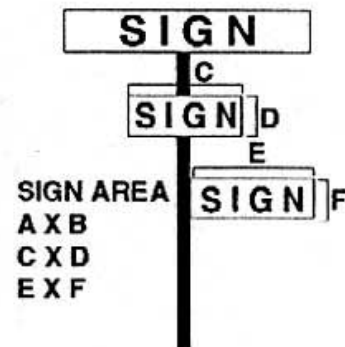
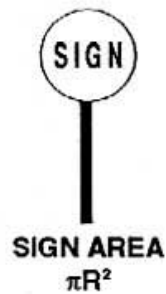
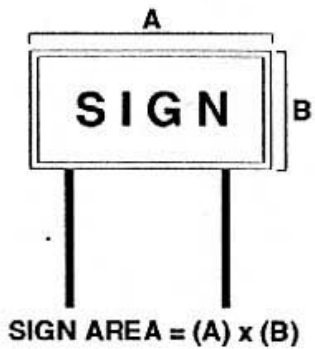
The outdoor advertising signs may be placed back-to-back, side-by-side, or in V-type construction. Side-by-side signs shall be structurally tied together and considered as one sign. V-type and back-to-back signs will not be considered as one sign if constructed forty-five (45) degrees. Stacked and/or rooftop locations of off-premises signs shall not be permitted.

The following page illustrates various types of wall signs and free-standing signs. The diagrams also illustrates how to compute the sign area.

WALL SIGNS



FREE STANDING



Part C. Planned Unit Developments; Plats of Same.

Section 5.24. Application.

Planned Unit Developments (PUD) are permissible in various Zoning Districts as Special Exceptions by the Brunswick County Planning Board and are covered by the standards contained herein.

Section 5.25. Purpose of a PUD.

The purpose of the Planned Unit Development is to encourage the development of desirable, mixed-use living environments which meet the needs of the residents who live in them. Certain development privileges, through diversified land development standards in exchange for preplanning and innovative design considerations, provide flexibility in utilizing new development concepts that are intended to:

- Encourage creative development that preserves natural and scenic features.
- Provide for abundant and accessible open and recreational space.
- Promote the efficient use of land resulting in infrastructure networks that maximize the allocation of fiscal and natural resources.

Section 5.26. Elements of a PUD.

(A) Minimum Size.

A Planned Unit Development shall be located on a site containing at least ten (10) contiguous acres.

(B) Phases of Development.

The PUD may be developed in phases or sections in accordance with the phasing schedule submitted as part of the approved plan.

(C) Filing Fee.

A filing fee of \$200 shall accompany each Special Exception Application for a Planned Unit Development.

Section 5.27. Design Standards.

Planned Unit Developments shall be in conformance with the Brunswick County Zoning and Subdivision Ordinances except for the following development standards:

(A) Density

Density of a Planned Unit Development shall be based on the number of dwelling units per acre of the underlying zoning district.

Minimum assured recreation/open space shall be a percentage of the gross site area integrated throughout the PUD and accessible to the housing units. Assured recreation/open space shall be lands other than wetlands. In some instances, use of

wetlands as open space may be presented for consideration by the Planning Board. PUDs are allowed 75% credit toward the applicable open space for commercial recreational areas such as golf courses.

Open space acreage applied to streams and ponds outside golf course design shall be in direct proportion to the percentage dedicated for public access. Assured Recreation/Open Space shall meet the following minimum requirements:

Density (Units per acre)^[1]	% Open Space (Minimum)
≤ 1.5	5%
1.6 – 2.0	10%
2.1 – 2.5	15%
2.6 – 3.0	20%
3.1 – 3.5	25%
≥ 3.6	30%
^[1] If PUD density results in a fraction, the calculated density shall be rounded to the nearest tenth.	

(1) Wetlands

Ecologically sensitive lands such as marsh, Carolina Bays, pocosins and swamps are to be preserved whenever possible for the public interest. Full density credit is to be applied as long as such areas are granted as perpetual conservation easements.

(2) Setbacks

Minimum setbacks from property lines and distances between structures shall be as follows: Front, fifteen (15) feet; any periphery property line, twenty-five (25) feet; and minimum distance between internal structures shall be as required by NC State Building Code.

(3) Commercial Use Within Planned Unit Developments

Commercial use within a PUD is permitted as long as there are at least twenty (20) acres or more of land. The developer may designate an area not greater than five (5) percent of the total acreage for commercial use, excluding golf courses. Commercial use within a PUD shall be designed and located to serve primarily the residents of the PUD. Such use shall, at minimum, have one (1) internal access to the development.

(4) Stormwater Management

Planned Unit Developments shall provide stormwater drainage systems to the ten (10) year and twenty-five (25) year storm levels for residential and commercial development, respectively, in accordance with stormwater and

sedimentation and erosion control requirements set forth in the Brunswick County Subdivision Ordinance.

Planned Unit Developments shall adhere to the Brunswick County Flood Damage Prevention Ordinance.

(5) Improvement Guarantees

In lieu of requiring the completion, installation and dedication of all improvements (i.e., streets, water and if applicable, sewer) prior to final plat approval, financial assurance in an amount equal to one hundred twenty-five percent (125%) for the installation of the required improvements shall be provided, with the exception of electric utilities. Financial assurance guarantees described in the Brunswick County Subdivision Ordinance may be used to guarantee the installation of said improvements.

(6) Utilities

Provision of utility services shall be underground. Adequate easements and rights-of-way for ingress and egress for maintenance also shall be provided.

(a) Water and Sewer

Provision of water and sewer to each housing unit and nonresidential structure shall be in accordance with the latest version of the Brunswick County Utility Policy and the latest version of the Brunswick County Sewer Use Ordinance.

(b) Electrical, Telephone and Cable

Electrical, telephone and cable shall be underground. A written statement by the utility company authorized to provide electrical service to the PUD, stating their commitment to install electric utilities, may be accepted in lieu of financial assurance guarantees.

(I) Street/Internal Trafficways

Creative design of circulation routes and trafficways is encouraged. A base characteristic of a PUD is that the internal circulation routes or streets do not follow fixed linear geometric lines as do most streets. Instead, circulation routes are curvilinear and of meandering character, to preserve tree and landscape features. Slower-paced traffic movements, private restrictions for extremely low speed limits, and provision of bumper-strips at intervals in the pavement make generous use of such features.

Pedestrian-oriented communities also are encouraged to enhance the quantity of pedestrian activity and to improve the quality of the pedestrian experience. Planned Unit Developments must adhere to the Brunswick County Subdivision Ordinance design standards for drainage and paving. Streets at a minimum must be fourteen (14) feet

wide for a single lane and eighteen (18) feet wide for a double lane. Minimum right-of-way shall be thirty-five (35) feet.

Where the development is bound by two or more NC DOT on-system roads, multiple accesses are encouraged. Siren activated gate systems are required for all unattended gates.

Adequately constructed and maintained bike and/or hiking trails can be counted toward the open space requirement. Bicycle lanes and multi-use pathways that extend the minimum right-of-way width must be designed in accordance with the *North Carolina Bicycle Facilities Planning and Design Guidelines Manual*.

(J) Buffer

A fifteen foot (15') distinct buffer that separate(s) and partially obstruct(s) the view as defined in the Brunswick County Zoning Ordinance between land-use designations (e.g., between single-family and commercial or between single-family and multi-family) and any periphery property line is required within the PUD.

(K) Density Bonus

An applicant for a PUD may be granted a one-to-one density bonus by the Planning Board for land dedication for the construction of public facilities (i.e., schools, parks, public safety facilities, etc.).

In such cases, approval will be granted prior to recordation of the site specific plan. Certification of the need for the public facility(ies) will be required and must be approved by the County.

(L) Development Agreements

Development Agreements may be considered as specified in N.C.G.S. 153A-376 in accordance with the following minimum criteria:

1. The property must have at least 25 developable acres (excluding wetlands, unbuildable slopes, etc.).
2. The Development Agreements shall be limited to a term not exceeding 20 years.
3. Development Agreements are subject to public hearing procedures set forth in N.C.G.S. 153A-323 and must be adopted by the Brunswick County Board of Commissioners.
4. Development Agreements are binding and must be recorded at the Brunswick County Register of Deeds. Once executed, the agreement shall run with the property, never the person or corporation.

Rev. 02/06/06

Section 5.28. Pre-Application Conference.

A pre-application conference between the applicant and the Planning Director or designee shall occur as the initial step in the PUD approval process. The primary purpose of this conference is to provide assistance and guidance to the applicant for the swift and least interruptible review of the proposed PUD. This conference will provide a mutual exchange of basic information that is needed to facilitate and clarify the PUD approval process. Any effort to secure this conference is the sole responsibility of the applicant.

Section 5.29. Concept Plan.

A conceptual land use plan review will be conducted by the Planning Board after initial review by the Brunswick County Planning Department to establish proposed land uses and density.

- (A) Once the Planning Director completes preliminary review of the proposed Conceptual Land Use Plan submitted by the applicant, the owner/applicant will then be required to present ten (10) copies of the Conceptual Land Use Plan to the Brunswick County Planning Department for review by the respective county departments comprising a Technical Review Committee (TRC).
- (B) The TRC will hold a joint meeting between the respective county departments and applicant/agent to review the Conceptual Land Use Plan.
- (C) Subsequent to TRC review, the Planning Director will inform the applicant/agent when they will appear on the Planning Board agenda for Conceptual Land Use Plan approval. The applicant will then be required to submit fifteen (15) copies of the Conceptual Land Use Plan for Planning Board review.
- (D) Conceptual Land Use Plans must include, at minimum, major thoroughfares, acreage and development type (i.e., residential, commercial, open space) of each phase, vicinity map, density, Flood Zone(s) and proximity of nearest water and/or sewer main.
- (E) Recommendations and findings listed during the concept stage are preliminary only, subject to modification as a result of information provided during the Conceptual Land Use Plan Application Approval process for all or each phase(s) of development.

Section 5.30. Master Plan Application Approval.

- (A) Once the pre-application conference is complete, the applicant will prepare a preliminary Master Plan (Master Plan) of the entire Planned Unit Development. The Master Plan will consist of both a preliminary site plan and a preliminary utilities plan and in some instances may be submitted with the Conceptual Land Use Plan.

- (B) The applicant will complete and submit to the Planning Department the Master Plan compliance sheet along with the Special Exception Application and Filing Fee for PUD review.
- (C) The preliminary Master Plan will consist of and be labeled, at a minimum: major thoroughfares, cross-section of proposed road type(s), recreational space, golf courses, natural or man-made lakes, setbacks, residential areas (single family, multi-family, townhouses, etc...), vicinity map, drainage and topography, approximate delineation of wetlands (404 jurisdictional wetlands) by Corps of Engineers or certified designee, land dedication for public facilities (i.e., public safety facilities, schools, EMS) and acreage (if applicable), environmentally sensitive areas, north arrow, adjacent land owners, and commercial area. Other relevant information such as the total number of acres within the planned unit development, and the total number of residential and commercial units (broken down into various phases and acreage) should be included. A proposed timetable of each development phase should also be included.
- (D) The Master Plan shall be accompanied with a preliminary utilities plan which consists of size and location of water and/or sewer lines, utility easements / rights-of-way, drainage and topography, location and/or type of solid waste disposal containers and shall be approved by the Director of Engineering Services and/or Public Utilities Director.
- (E) A mechanism and/or instrument guaranteeing adequate maintenance and continued operation of all assured open space and other private service facilities, shall be submitted as part of the Master Plan requirement and then properly recorded upon Planning Board approval of the Master Plan. Assured open space, and other facilities shall not be dedicated for public purpose or maintenance. However, NC DOT on-system roads within the PUD are excluded from this provision.
- (F) Once the Planning Director completes preliminary review of the Master Plan, the owner/applicant will then be required to present fifteen (15) copies of the Master Plan to the Brunswick County Planning Department for review by the respective county departments comprising a Technical Review Committee (TRC).
- (G) The TRC will hold a joint meeting between the respective County departments and applicant/agent to review both the preliminary site plan and utilities plan.
- (H) Subsequent to TRC review, the Planning Director will then inform the applicant/agent when they will appear on the Planning Board agenda for Master Plan approval.

Section 5.31. Site Specific Plan Approval.

- (A) The Planned Unit Development may be completed in phases. If phased, it is the responsibility of the applicant or owner to present Site Specific plans (in accordance with the approved Master Plan) of each phase prior to development of the phase to the Planning Director for approval. Streets, utilities, and drainage will be reviewed and approved by the Director of Engineering Services and shall conform with Master Plan (preliminary utility plans) according Section 5.307 above. If changes are proposed in the Site Specific plan, said changes shall be reviewed and approved by the Director of Engineering Services and/or Public Utilities Director. The applicant/agent will be presented with a PUD compliance sheet to assist with the completing of the Site Specific plan in a more accurate and efficient manner. The Site Specific plans are in more detail and must contain or provide evidence of the following information:
- (1) North point, full right-of-way of all abutting and intersecting streets, including curbs, and center line. Scale, date, and legal description of the proposed site;
 - (2) Location, dimensions, and type of any proposed streets, trafficways, driveways, sidewalks, pedestrian and bike trails, curb cuts, entrances, exits, outdoor lighting systems, storm drainage, sanitary sewer and all other utilities and services;
 - (3) Location, dimensions and use of existing and proposed structures and parking areas;
 - (4) Location and dimensions of proposed boundaries, setback lines, and easements, open space and recreational areas;
 - (5) Landscaping, irrigation and sedimentation control plans;
 - (6) Site data breakdowns in square footage for building coverage, paved areas, green areas, lake areas, commercial structures and the gross site area;
 - (7) Specific identification of the size, number, and type of proposed units and offices, commercial or industrial usage, total acreage, total units and total density per acre;
 - (8) Type and/or location of trash containers;
 - (9) Elevations of building types, proposed walls, fences and bridges;
 - (10) Evidence of all Federal and State approvals including approved wetlands delineation (404 jurisdictional wetlands);

- (11) Construction plans showing proposed location and size of streets, sidewalks, trafficways, sanitary sewers, water mains, culverts, retention ponds, drainage structures and other utilities. These plans shall include the existing location and size of the nearest street(s), sidewalk(s), sanitary sewer main(s), water main(s), drainage culvert(s) in which this site specific plan will be tied to. These plans shall be approved by the Director of Engineering Service and/or Public Utilities Director, according to the County's Utility Policy.
- (12) If the proposed Planned Unit Development is to be completed in one (1) initial phase, the applicant/owner may submit a Master Plan that contains all of the above mentioned elements of the site specific plan.
- (13) Each phase of a multi-phase PUD shall be developed in acreage in accordance with Master Plan approval and shall not be subdivided and sold for development purposes.
- (14) Once the site specific plan has received preliminary approval by the Planning Director, and all of the required elements for a site specific plan are met, the applicant or owner will submit five (5) copies of the site specific plan.
- (15) Land dedicated to and accepted by the County for the construction of public facilities (i.e., schools, parks, public safety facilities, etc.) must be noted and shown on the site specific plan.
- (16) Once the site specific plans have been received and reviewed by the appropriate county departments and the applicant has met all of the required elements of the site specific plan, zoning ordinance, and density requirements, the Planning Director shall issue a final approval of the site specific plan so that the applicant or owner may begin the process of having the proposed site plan recorded.
- (17) A survey on reproducible medium with the appropriate information will then be needed so that the applicant or owner can record the plat with the Brunswick County Register of Deeds.
- (18) Financial Assurance Guarantees for each phase are to be approved and accepted prior to recordation of each phase.
- (19) If any modifications are made to the site specific plan, the Planning Director will follow the specific conditions specified in Section "Amendments to Master Plan and Site Specific Plan".

- (20) The applicant or owner must complete these steps each time a new phase of a PUD is to be developed.

Section 5.32. Amendments to Concept Plan, Master Plan and/or Site Specific Plans.

Any and all amendments to the Concept Plan, Master Plan and/or Site Specific plans for the PUD shall be subject to the following review procedures:

- (A) The Planning Director approval is required for the following:
 - (1) Changes which result in a decrease in assigned density for a specific parcel, either residential or non-residential.
 - (2) Change in land use designation from multi-family to single-family or a change from any other use to open space/passive recreation.
 - (3) Change in major infrastructure features (i.e., roads/access, sewer, water, storm drainage) of the Master Plan area which are clearly beneficial to the occupants of the Master Plan area. The applicant requesting such change shall notify the property owners association that would be affected by the change of the request and ask that all comments be directed to the Planning Director. Proof of such notification shall be provided to the Planning Director. If the proposed changes affect the construction of roadways, water, sewer and/or stormwater infrastructure, the Planning Director shall notify the Director of Engineering Services of such changes. The Director of Engineering Services and/or Public Utilities Director shall review and approve said changes. If the Planning Director determines that the change does not have the support of the affected property owners association, the request may be referred to the Planning Board for review.
- (B) The Planning Board approval is required for the following:
 - (1) Change in major infrastructure features (i.e. roads/access, sewer, water, storm drainage) of the Master Plan area for a request which has been referred to the Planning Board by the Planning Director.
 - (2) Applicants for Special Exception amendments to Master Plans shall submit all information as required for a Special Exception request. Once an amendment to a Master Plan is approved, the applicant shall provide to the Planning Board an amended copy of the Master Plan for the official record.
 - (3) Change in Land Use Designation to increase density for Concept Plan, Master Plan and/or Site Specific plan.

This Ordinance shall be effective sixty (60) days following the adoption date of December 18, 2000.

Part D. Performance Standards.

Section 5.33. Applicability.

Any use established or changed, and any building, structure, or tract of land developed, constructed, or utilized for any permitted or permissible principal or accessory use shall comply with all performance standards herein set forth. Bona Fide Farms are exempt from these Performance Standards.

Section 5.34. Performance Standards Regulating Noise.

(A) **Definitions.**

For the purpose of this Section, the underlined terms are defined:

(1) **Decibel.**

A decibel is a unit of measurement of the intensity of sound (the sound pressure level).

(2) **Sound Survey Meter.**

A sound survey meter is an instrument standardized by the American Standards Association used for measurement of the intensity of sound, as calibrated in decibels.

(3) **Impact Noise Filter.**

An impact noise filter is an instrument that may be used in conjunction with the sound level meter to measure the peak intensities of short duration sounds.

(B) **Method Of Measurement.**

(1) For the purpose of measuring intensity of sound, the "A" scale of a General Radio Co. No. 1555-A Sound Survey Meter, or American Standards Association approved equivalent shall be used.

(2) Readings shall be taken at lot lines, the meter shall be held approximately four feet above the ground. Readings closer than three feet to a wall or structure shall be avoided to lessen sound echo effect.

(3) Sounds of short duration, as from forge hammers, punch presses and metal shears, which cannot be measured accurately with the sound survey meter, shall be measured with the impact noise filter as manufactured by the General Radio Company, or its equivalent, in order to determine the peak value of the impact. For sounds so measured, the allowable sound pressure levels set forth in the table below, shall be increased by six decibels.

(C) Exemptions.

- (1) Traffic sound, sound created by emergency activities, and sound created by governmental units shall be exempt from this ordinance.
- (2) Sound created by construction or building repair shall be exempt from this ordinance during the hours of 7:00 A.M. to 9:00 P.M.

(D) Sound Levels.

It shall be unlawful for any person to produce sound or allow to be created or produced sound pressure levels (decibels) as follows:

- (1) At any residential property line – Fifty (50) Decibels
- (2) At any lot line within a Commercial District, or where such district abuts a Manufacturing District – Sixty-two (62) Decibels
- (3) At any lot line within C-M, H-M, and RU-I Districts – Seventy (70) Decibels

Section 5.35. Performance Standards Regulating Vibration.

(A) Definitions.

For the purpose of this section, the underlined terms are defined:

(1) Steady State Vibrations.

Steady state vibrations are continuous earth-borne oscillations. Discrete pulses that occur more than 100 times per minute shall be considered to be steady state vibrations.

(2) Impact Vibrations.

Impact vibrations are earth-borne oscillations occurring in discrete pulses at or less than 100 per minute.

(3) Frequency.

Frequency is the number of oscillations per second of a vibration or sound.

(4) Three-Component Measuring System.

A three-component measuring system is a device for recording the intensity of any vibration in three mutually perpendicular directions.

(B) Method Of Measurement

For the purpose of measuring vibration, a three-component measuring system approved by the County Manager shall be employed.

(C) Maximum Permitted Steady State and Impact Vibration Displacement (in inches):

FREQUENCY (in inches)		VIBRATION DISPLACEMENT *(Cycles per second)	
Steady State	Impact		
Less than 10		.0005	.0010
10-19		.0004	.0008
20-29		.0003	.0006
30-39		.0002	.0004
40 and over		.0001	.0002

In the RU-Rural Zoning District, the C-LD, Commercial Low Density Zoning District, and in the C-M District, no activity shall cause or create a steady state of impact vibration displacement on a lot line within or on a boundary line between this District and Residential or Commercial Districts greater than that indicated for the frequency bands in the table above.

In the H-M and RU-I Districts, no activity shall cause or create a steady state or impact vibration displacement on a District boundary line greater than that indicated for the frequency bands in the table above.

Section 5.36. Performance Standards Regulating Air Pollution.

- (A) Any Permitted, Permissible Or Accessory Use That Emits Any Air Contaminant, As Such term is defined by N.C.G.S. 143-213, shall comply with applicable State of North Carolina standards concerning air pollution, as set forth in Article 21B of Chapter 143 of N.C.G.S. and the N.C. Administrative Code.
- (B) No Certificate of Zoning Compliance or Building Permit shall be issued with respect to any use regulated under "A" until the appropriate agency of the state has certified to the Zoning Administrator that the appropriate permits have been issued to the applicant.

Section 5.37. Performance Standards Regulating Odorous Matter.

- (A) Standards For Effluents Measurable In Cubic Feet Per Minute.

In C-M, H-M, and RU-I Districts and in the Economic Development Overlay District, the emission into the atmosphere of odorous matter for which the quantity of effluent can be measured in cubic feet per minute, originating from flues, ducts, stacks, or any other type of opening from which the emission can be controlled, shall be regulated by the standards set forth in the following table. Such emission of odorous matter when collected at the lot line and diluted in tests under controlled conditions with volumes of clean air in the proportion set forth in the following table, shall be deemed detectable.

STANDARDS FOR ODOROUS MATTER MEASURABLE IN CUBIC FEET PER MINUTE	
Quality of Effluent (cubic feet per minute)	Required Volumes of Clean Air (proportion)
10	5.7
100	4.0
1,000	2.8
10,000	2.0
100,000	1.4
1,000,000	1.0

Intermediate values not shown in the table shall be determined by linear interpolation in accordance with the following formula, in which "a" equals the quantity of effluent (64/2a)^{1/2}.

(B) Regulation For Effluents Not Measurable In Cubic Feet Per Minute.

In C-M, H-M, and RU-I Districts and in the Economic Development Overlay District, the emission into the atmosphere of odorous matter, for which the quantity of effluent cannot be measured in cubic feet per minute, and which originates from sources including, but not limited to, junkyards, process wastes, or open plant operations shall be so controlled as not to be detectable at or beyond the boundary of any residential or commercial District.

- (C) In addition to such limits, the presence of odorous matter in such quantities as to be readily detectable at any point along lot lines or to produce a public nuisance or hazard beyond lot lines is prohibited.

Section 5.38. Performance Standards Regulating Toxic or Noxious Matter.

(A) Toxic Or Noxious Matter.

Toxic or noxious matter, for the purpose of this section is defined as any solid, liquid, or gaseous substances, including but not limited to gases, vapors, dusts, fumes, and mists containing properties which, by chemical means are:

- (1) Inherently harmful and likely to destroy life or impair health, or
- (2) Capable of causing injury to the well-being of persons or damage to property.

(B) Method Of Measurement.

For the purpose of measuring the density of mineral dusts, the light field low-power method (described in U.S. Public Health Report 47, No. 12, pps. 669-672, March 18, 1932), or its equivalent, shall be used, and a standard type impinger, or its equivalent, shall be employed for taking atmospheric dust samples.

(C) **General Control Over Toxic Or Noxious Matter.**

In any RU-Rural, C-LD, Commercial Low Density, C-M, Commercial Manufacturing, H-M, Heavy Manufacturing, and in the RU-I, Rural Industry Districts and in the Economic Development Overlay District, in addition to the performance standards regulating toxic or noxious matter, the emission of such matter shall be so controlled that no concentration of such matter, at or beyond the lot line, shall be detrimental to or endanger the public health, safety comfort, and other aspects of the general welfare, or cause injury or damage to property.

Section 5.39. Performance Standards Regulating Humidity, Heat or Glare.

In the RU-Rural, C-LD, Commercial Low Density and in the C-M Districts, and in the Economic Development Overlay District, any activity producing humidity in the form of steam or moist air, or producing heat or glare, shall be conducted in such a manner that the steam, humidity, heat, or glare are not perceptible or measurable at any lot line.

In the H-M and RU-I Districts, any activity producing humidity in the form of steam or moist air, or producing heat or glare, shall be conducted in such a manner that the steam, humidity, heat, or glare are not perceptible at or beyond the District boundary.

Section 5.40. Performance Standards Regulating Electromagnetic Interference.

In the RU-Rural, C-LD, Commercial Low Density, C-M, Commercial Manufacturing, H-M, Heavy Manufacturing, and RU-I Districts, and in the Economic Development Overlay District, no use, activity, or process shall be conducted therein which produces electromagnetic interference with normal radio or television reception in Residential or Commercial Districts.

Part E. Fence and/or Wall Requirements.

Section 5.41. Permitted Types of Fences.

The following types of fences are permitted in all Zoning Districts:

- (1) Masonry or Stone walls.
- (2) Ornamental iron;
- (3) Chain-link or woven wire; and
- (4) Wood or similar material.

Section 5.42. Prohibited Types of Fences.

The following types of fences are prohibited in all zoning districts:

- (1) Fences constructed primarily of barbed or razor wire, except for the purpose of enclosing livestock;

- (2) Fences carrying electrical current, except for the purpose of enclosing livestock;
- (3) Fences constructed in whole or in part of readily flammable material such as paper, cloth or canvas;
- (4) Fences topped with barbed wire or metal spikes except those serving an institution requiring a security fence for public safety purposes;
- (5) Fences constructed of concertina wire.

Section 5.43. Required Maintenance.

Any fence which, through neglect, lack of repair, type or manner of construction, method of placement or otherwise, constitutes a hazard or endangers any person, animal or property is hereby deemed a nuisance. If such conditions exist, the Zoning Administrator shall require the owner or occupant of the property upon which the fence is located to repair, replace or demolish the fence causing the nuisance.

Section 5.44. Height.

Residential Uses:

- (A) No fence shall exceed six feet (6') in height on side yards and rear yards within R-7500 and R-6000 residential areas.
- (B) No fence shall exceed six feet (6') in height within fifteen feet (15') of any public or private street right-of-way line within a group housing development unless the sole purpose is to enclose a patio, a patio enclosure shall not exceed seven feet (7') in height. This does not include the exterior boundaries.

Recreational Uses:

No fence shall exceed eight feet (8') in height.

Commercial or Industrial Uses:

No fence shall exceed eight feet (8') in height.

Section 5.45. General Fence Requirements.

- (A) Obstruction Of View.

No fence shall be placed or retained in such a manner as to obstruct vision at any intersection of public or private streets.

(B) Obstruction Of Drainageway.

Fence construction shall not alter or impede the natural flow of water in any stream, creek, drainage swale, or ditch.

(C) Obstruction Of Access.

No fence shall block access from doors or windows. Fences must have a clearance of at least two feet (2) from building walls, except where fences project from or to a building wall.

(D) Orientation Of Barbed Wire.

On fences topped with barbed wire, the bottom strand must be at least six feet (6') above grade with vertical supports slanting inward away from the property line.

(E) Obstruction Of 911 Emergency Street Addresses.

No fence shall be constructed to alter or impede the visual locating of 911 emergency street addresses.